Calendar No. 161

102D CONGRESS
1st Session

SENATE

REPORT
102–109

AUTHORIZING EXTENSIONS OF TIME LIMITATION IN CERTAIN FERC-ISSUED LICENSES

JULY 16 (legislative day, JULY 8), 1991.—Ordered to be printed

Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 1283]

The Committee on Energy and Natural Resources to which was referred the bill (S. 1283), to authorize extensions of time limitations in certain FERC-issued licenses, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE MEASURE

The purpose of S. 1283 as ordered reported is to authorize extension by the Federal Energy Regulatory Commission of the deadlines for the development of certain licensed hydroelectric projects in Arkansas.

SUMMARY OF MAJOR PROVISIONS

S. 1283 would authorize the Federal Energy Regulatory Commission: (1) to extend the deadline for the acquisition of real property and commencement of construction on project No. 3033 until August 10, 1994, and the time for completion of construction of the project until August 10, 1999; and (2) to extend the deadline for the acquisition of real property and commencement of construction on Project No. 3034 until August 10, 1996, and the time for completion of construction of the project until August 10, 2001. The authorization for making such extensions would terminate 3 years from the date of enactment.

S313-17

BACKGROUND AND NEED

Project Nos. 3033 and 3034 are licensed to Arkansas Electric Cooperative Corporation (AECC). The projects would be constructed at existing Corps of Engineers locks and dams on the Arkansas River in Arkansas and would be operated on a run-of-the-river basis. Total power capacity for Project No. 3033 is 120 megawatts; total capacity for Project No. 3034 is 48 magawatts.

The Federal Power Act requires construction of hydroelectric projects to begin within 2 years of licensing with the possibility of one 2-year extension. The deadlines for completion of construction and acquisition of real property are set by the Federal Energy Regulatory Commission and may be extended in the public interest.

AECC has already received the statutorily permitted 2-year extensions of construction deadlines for Project Nos. 3033 and 3034. In addition, the licensees received statutory extensions as part of section 15A(b) of the Electric Consumers Protection Act of 1986 (P.L. 99–495). However, construction has not commenced because of the inability of the licensees to secure contracts for the sale of power from the projects. Arkansas currently has excess electric supply, a situation that was unforeseen by the licensees at the time of licensing.

LEGISLATIVE HISTORY

At a business meeting on April 17, 1991, the Committee adopted an amendment to S. 341 (reported as original bill S. 1220) containing identical language to S. 1283. Subsequently, S. 1283 was introduced by Senator Bumpers and Pryor on June 12, 1991. No hearings on S. 1283 have been held.

COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on June 26, 1991, by unanimous vote of quorum present recommends that the Senate pass S. 1283, as described herein.

The rollcall vote on reporting the measure was 19 yeas, 0 nays, as follows:

YEAS	NAYS
Mr. Johnston	
Mr. Bumpers	
Mr. Ford	
Mr. Bradley[1]	
Mr. Wirth	
Mr. Conrad	
Mr. Akaka[1]	
Mr. Fowler[1]	
Mr. Shelby[1]	
Mr. Wellstone[1]	
Mr. Wallop	
Mr. Hatfield[1]	
Mr. Domenici	
Mr. Murkowski[1]	
Mr. Nickles	
Mr. Burns	
Mr. Craig	
Mr. Seymour	
Mr. Garn [1]	

[1] Indicates voted by proxy.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 11, 1991.

Hon. J. BENNETT JOHNSTON,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 1283, a bill to authorize extensions of time limitations in certain FERC-issued licenses, as ordered reported by the Senate Committee on Energy and Commerce, on June 26, 1991. We estimate that enactment of this bill would result in no significant cost to the federal government, because it would not change the workload of the Federal Energy Regulatory Commission (FERC).

S. 1283 would authorize FERC to extend the time required for licensees to complete construction of two hydroelectric projects.

Enactment of this bill would not affect the budgets of state or local governments. Enactment of S. 1283 would not affect direct spending or receipts. Therefore pay-as-you-go procedures would not apply to this bill.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Kim Cawley, who can be reached at 226–2860.

Sincerely,

ROBERT D. REISCHAUER,
Director.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 1283. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 1283, as reported.

EXECUTIVE COMMUNICATIONS

On July 10, 1991, the Committee on Energy and Natural Resources requested legislative reports from the Federal Energy Regulatory Commission and the Office of Management and Budget setting forth executive views on S. 1283. These reports had not been received at the time the report on S. 1283 was filed. When the reports become available, the chairman will request that they be printed in the Congressional Record for the advice of the Senate.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill, S. 1283, as reported.

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